



STATUTORY INSTRUMENTS.

S.I. No. 449 of 2013



EUROPEAN UNION (RESTRICTIVE MEASURES AGAINST IRAN)
REGULATIONS 2013

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I, RICHARD BRUTON, Minister for Jobs, Enterprise and Innovation, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Council Regulation (EU) No. 267/2012 of 23 March 2012¹ as amended by Council Implementing Regulation 350/2012 of 23 April 2012², Council Regulation (EU) No. 708/2012 of 2 August 2012³, Council Implementing Regulation (EU) No. 709/2012 of 2 August 2012⁴, Council Implementing Regulation (EU) No. 945/2012 of 15 October 2012⁵, Council Implementing Regulation (EU) No. 1016/2012 of 6 November 2012⁶, Council Regulation (EU) No. 1067/2012 of 14 November 2012⁷, Council Regulation (EU) No. 1263/2012 of 21 December 2012⁸, Council Implementing Regulation (EU) No. 1264/2012 of 21 December 2012⁹, Council Implementing Regulation (EU) No. 522/2013 of 6 June 2013¹⁰ hereby make the following regulations:

1. These Regulations may be cited as the European Union (Restrictive Measures Against Iran) Regulations 2013.

2. (1) In these Regulations “Council Regulation” means Council Regulation (EU) No. 267/2012 of 23 March 2012 as amended by Council Implementing Regulation (EU) No. 350/2012 of 23 April 2012, Council Regulation (EU) No. 708/2012 of 2 August 2012, Council Implementing Regulation (EU) No. 709/2012 of 2 August 2012, Council Implementing Regulation (EU) No. 945/2012 of 15 October 2012, Council Implementing Regulation (EU) No. 1016/2012 of 6 November 2012, Council Regulation (EU) No. 1067/2012 of 14 November 2012, Council Regulation (EU) No. 1263/2012 of 21 December 2012, Council Implementing Regulation (EU) No. 1264/2012 of 21 December 2012, Council Implementing Regulation (EU) No. 522/2013 of 6 June 2013.

(2) A word or expression used in these Regulations that is also used in the Council Regulation has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Council Regulation.

¹OJ No. L 88, 24.3.2012, p. 1.

²OJ No. L 110, 24.4.2012, p. 17.

³OJ No. L 208, 3.8.2012, p.1.

⁴OJ No. L 208, 3.8.2012, p.2.

⁵OJ No. L 282, 16.10.2012, p.16.

⁶OJ No. L 307, 7.11.2012, p.5.

⁷OJ No. L 318, 15.11.2012, p.1.

⁸OJ No. L 356, 22.12.2012, p.34.

⁹OJ No. L 356, 22.12.2012, p.55.

¹⁰OJ No. L 156, 8.6.2013, p.3.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 29th November, 2013.*

3. Subject to Regulations 4 and 5, a person who contravenes a provision of the Council Regulation in the Schedule commits an offence.

4. Where the Council Regulation allows an exception, exemption or derogation from the provisions in the Schedule, the same exception, exemption or derogation shall apply to an offence under Regulation 3.

5. Notwithstanding Regulation 3, a person who has been granted or is deemed to have been granted an authorisation under the Council Regulation may, subject to compliance with the terms and conditions of the authorisation, do such of the things as are so authorised.

6. A person guilty of an offence under Regulation 3 shall be liable—

(a) on summary conviction, to a Class A fine or imprisonment for a term not exceeding 12 months or both, or

(b) on conviction on indictment, to a fine not exceeding €500,000 or imprisonment for a term not exceeding 3 years or both.

7. A competent authority of the State may, for the purposes of the administration and enforcement of the Council Regulation or these Regulations, give such directions or issue such instructions to a person as it sees fit.

8. A person who fails to comply with a direction given or an instruction issued under Regulation 7 shall be guilty of an offence and shall be liable on summary conviction, to a Class A fine or to imprisonment for a term not exceeding 6 months or to both.

9. Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent, connivance or approval of any person, being a director, manager, secretary or other officer of the body corporate or a person who was purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of an offence and be liable to be proceeded against and punished as if he or she committed the first mentioned offence.

10. The following is revoked:

European Union (Restrictive Measures Against Iran) Regulations 2012 (S.I. No. 338 of 2012).

Schedule*Regulation 3*

Provision of Council Regulation (EU) No. 267/2012 of 23 March 2012 as amended by Council Implementing Regulation (EU) No. 350/2012 of 23 April 2012, Council Regulation (EU) No. 708/2012 of 2 August 2012, Council Implementing Regulation (EU) No. 709/2012 of 2 August 2012, Council Implementing Regulation (EU) No. 945/2012 of 15 October 2012, Council Implementing Regulation (EU) No. 1016/2012 of 6 November 2012, Council Regulation (EU) No. 1067/2012 of 14 November 2012, Council Regulation (EU) No. 1263/2012 of 21 December 2012, Council Implementing Regulation (EU) No. 1264/2012 of 21 December 2012, Council Implementing Regulation (EU) No. 522/2013 of 6 June 2013.

Acting contrary to the prohibitions set out in:

Article 2(1)

Article 4

Article 5(1)

Article 8(1) as amended by Council Regulation (EU) No. 1263/2012

Article 9 as amended by Council Regulation (EU) No. 1263/2012

Article 10a(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 10b(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 10d(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 10e(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 11(1)

Article 13(1)

Article 14a(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 15(1)

Article 15a(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 15b(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 16

Article 17(1) and (4)

Article 22

Article 23(2) as amended by Council Regulations (EU) No. 1263/2012 and No. 708/2012

Article 23(4) as amended by Council Regulation (EU) No. 1263/2012

Article 30(1) as amended by Council Regulation (EU) No. 1263/2012

Article 33 as amended by Council Regulation (EU) No. 1263/2012

Article 34 as amended by Council Regulation (EU) No. 1263/2012

Article 35(1)

Article 37(1) and (2)

Article 37a(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 37b(1) as inserted by Council Regulation (EU) No. 1263/2012

Article 41 as amended by Council Regulation (EU) No. 1263/2012

Carrying out the acts specified in the following articles without obtaining the specified prior authorisation:

Article 3(1)

Article 5(2)

Article 18(1)

Article 43a as inserted by Council Regulation (EU) No 1067/2012

Carrying out the acts specified in the following articles without notifying the competent authority:

Article 10(1) as amended by Council Regulation (EU) No. 1263/2012

Article 12(1) as amended by Council Regulation (EU) No. 1263/2012

Article 14(1) as amended by Council Regulation (EU) No. 1263/2012

Article 30a as inserted by Council Regulation (EU) No. 1263/2012

Article 31(1) as amended by Council Regulation (EU) No. 1263/2012

Not freezing the funds and economic resources as set out in:

Article 23(1) and (2) as amended by Council Regulation (EU) No. 1263/2012

Making available funds contrary to:

Article 23(3)

Failing to prevent infringements of the Regulation as set out in:

Article 30(6) as amended by Council Regulation (EU) No. 1263/2012

Failing to make a declaration, or making an inaccurate declaration as set out in:

Article 36

Failing to supply information or cooperate with the competent authority as set out in:

Article 40(1)



GIVEN under my Official Seal,
25 November 2013.

RICHARD BRUTON,
Minister for Jobs, Enterprise and Innovation.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

The effect of these Regulations is to provide for penalties for infringements of the provisions of Council Regulation (EU) No. 267/2012 as amended, which relate to restrictive measures against Iran. The restrictive measures include export and import restrictions, restriction on financing of certain enterprises, freezing of funds and economic resources, restrictions on transfers of funds and on financial services and restrictions on transport. These Regulations revoke the European Union (Restrictive Measures Against Iran) Regulations 2012 (S.I. No. 338 of 2012).

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